

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 566 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 health care services.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 11-12-5-8 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2007]: **Sec. 8. (a) This section does not apply to a person subject**
- 9 **to lawful detention who:**
- 10 (1) maintains a policy of insurance from a private company
- 11 covering health care services; or
- 12 (2) is willing to pay for the person's own health care services.
- 13 (b) As used in this section, "lawful detention" has the meaning
- 14 set forth in IC 35-41-1-18.
- 15 (c) A county shall reimburse:
- 16 (1) a physician licensed under IC 25-22.5;
- 17 (2) a hospital licensed under IC 16-21-2; or
- 18 (3) any other health care provider;
- 19 for health care services provided to a person subject to lawful
- 20 detention by the sheriff of the county. The reimbursement must be
- 21 paid at a rate that is equal to the reimbursement rate that applies
- 22 to health care services provided under a health care provider
- 23 network contract with the county's health plan in which the most
- 24 county employees are enrolled.

1 **(d) The reimbursement paid under this section:**

2 **(1) must be equal to the reimbursement rate that the county**
 3 **health plan described in subsection (c) would pay after**
 4 **subtracting copayment amounts that would normally apply**
 5 **under the plan; and**

6 **(2) may not be reduced because of any deductible amounts or**
 7 **similar obligations owed under the county health plan.**

8 **(e) This section may not be construed to prevent or limit the**
 9 **application of IC 11-12-5-5 concerning the making of copayments**
 10 **by a person confined to a county jail.**

11 **(f) A county that is responsible for paying the medical care**
 12 **expenses of a county jail inmate under IC 11-12-5-6 is responsible**
 13 **paying the medical care expenses of the inmate under this section.**

14 **(g) This section may not be construed to supersede a written**
 15 **agreement:**

16 **(1) between:**

17 **(A) a physician, a hospital, or any other health care**
 18 **provider; and**

19 **(B) a county or sheriff;**

20 **concerning reimbursement for health care services provided**
 21 **to a person subject to lawful detention; and**

22 **(2) entered into or renewed before July 1, 2007."**

23 Page 3, after line 22, begin a new paragraph and insert:

24 "SECTION 7. IC 36-2-13-17 IS ADDED TO THE INDIANA CODE
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 26 1, 2007]: **Sec. 17. (a) This section does not apply to a person subject**
 27 **to lawful detention who:**

28 **(1) maintains a policy of insurance from a private company**
 29 **covering health care services; or**

30 **(2) is willing to pay for the person's own health care services.**

31 **(b) As used in this section, "lawful detention" has the meaning**
 32 **set forth in IC 35-41-1-18.**

33 **(c) A sheriff of a county may not release a person subject to**
 34 **lawful detention solely for the purpose of preventing the county**
 35 **from being financially responsible under IC 11-12-5-8 for health**
 36 **care services provided to the person.**

37 **(d) If a county violates subsection (c), the county remains**
 38 **financially responsible under IC 11-12-5-8 for health care services**
 39 **provided to the person released from lawful detention.**

40 **(e) A county is financially responsible under IC 11-12-5-8 for**
 41 **medical care provided to a person at a hospital if that person was**
 42 **subject to lawful detention by the sheriff at the time the person**
 43 **entered the hospital's premises.**

44 **(f) If a person is subjected to lawful detention after entering the**
 45 **premises of a hospital, the county in which the hospital is located**
 46 **is financially responsible under IC 11-12-5-8 for the medical care**
 47 **provided to the person while the person is subject to lawful**

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detention.

(g) For purposes of this section, if a sheriff brings a person subject to lawful detention onto the premises of a hospital or subjects a person to lawful detention after the person enters the premises of a hospital, the sheriff shall remain on the premises of the hospital and within reasonable proximity to the person while the person receives medical care at the hospital unless:

(1) the person's medical condition renders the person incapable of leaving the hospital; and

(2) the person does not pose a threat to hospital personnel or property or to others at the hospital.

(h) This section may not be construed to prevent or limit the application of IC 11-12-5-5 concerning the making of copayments by a person confined to a county jail.

(i) A county that is responsible for paying the medical care expenses of a county jail inmate under IC 11-12-5-6 is responsible paying the medical care expenses of the inmate under this section.

(j) This section may not be construed to supersede a written agreement:

(1) between:

(A) a physician, a hospital, or any other health care provider; and

(B) a sheriff;

concerning reimbursement for health care services provided to a person subject to lawful detention; and

(2) entered into or renewed before July 1, 2007."

Renumber all SECTIONS consecutively.

(Reference is to ESB 566 as printed April 3, 2007.)

Representative Kuzman